

Environmental Health & Safety Division



December 8, 2016

Matthew Didier
77 West Jackson Boulevard
Mail Code SE-7J
Chicago, IL 60604-3507

Dear Mr. Dieder:

The Oneida Nation is submitting this application in anticipation of receiving funding to cleanup environmental contamination at the former Hilltop BP (Appleton's) site. The Nation is concerned about the health, safety and environmental impacts posed by the contamination identified at this site.

The Nation seeks to use this property as a catalyst for redevelopment in accordance with its *Vision Oneida Plan*. This is the first of many properties the Nation hopes to redevelop as part of its Central Oneida community design concept. The concept incorporates sustainable development principles, livable community design and right size-right place economic development.

The Nation has limited resources and many demands for services such as health care, road maintenance, housing development, education and public safety services. With above average unemployment, lower per capita and household income, and a high percentage of individuals and families below the poverty level, the Nation must prioritize essential service to families and individuals. Receiving an EPA Brownfield Cleanup grant would enhance the opportunities of economic development within the Oneida community.

Thank you for considering our application. We believe the Environmental, Health and Safety Division can successfully manage and carry out the duties of the grant and reduce environmental impacts. The project will provide a catalyst for community and economic development within Central Oneida.

Sincerely,

Jeffrey Mears
Environmental Area Manager

Applicant Identification

Oneida Nation, P.O. Box 365, Oneida, Wisconsin 54155

Funding Requested**i) Grant Type**

Cleanup

ii) Federal Funds Requested

\$134,675

iii) Contamination

Petroleum

Location

N7284 County Road J, Town of Oneida, Outagamie County, Tribally-owned lands, Oneida Reservation, Oneida, Wisconsin, 54155

Property Information

Former Hilltop BP, N7284 County Road J, Town of Oneida, Outagamie County, Oneida, Wisconsin

Contacts:**i) Project Director**

Victoria Flowers, Environmental Specialist
P.O. Box 365, Oneida, Wisconsin 54155
Phone: (920)869-4548, Fax: (920) 869-1610
Email: vflowers@oneidanation.org

ii) Chief Executive/Highest Ranking Elected Official

Cristina S. Danforth, Chairwoman - Oneida Nation
P.O. Box 365, Oneida, Wisconsin 54155
Phone: (920)869-4354
Email: tdanfort@oneidanation.org

Population**i) General Population**

According to the U.S. Census Bureau 2013 American Community Survey 3-year estimates, there are 22,908 residents living on the Oneida Reservation. There are 4,490 Oneida members who live on the Oneida Reservation (data source: Oneida Enrollment Office 2016-06-03 Enrollment Statistics).

ii) Population of Target Area

According to the U.S. Census Bureau 2013 American Community Survey 3-year estimates, there are 22,908 residents living on the Oneida Reservation. There are 4,490 Oneida members who live on the Oneida Reservation (data source: Oneida Enrollment Office 2016-06-03 Enrollment Statistics).

NARRATIVE PROPOSAL/RANKING CRITERIA

1. COMMUNITY NEED

This project is located in the geographical center of the Oneida Reservation and was a place where the community gathered due to the presence of stores, a railroad depot and a post office. Since the early 1950's, the Tribe has not had ownership of most of the land in this area and redevelopment has not been able to occur. Based on community feedback and surveys there is a strong desire to revitalize this area. The acquisition and cleanup of the site and neighboring sites are seen as a catalyst for reclaiming and redeveloping Central Oneida.

a. **Target Community and Brownfields**

Community and Target Area Description

The former Hilltop BP property is located in the geographical center of the Oneida Reservation near the seat of Tribal government, Tribal schools, Tribal neighborhood developments, community service centers, a trail system (Safe Routes to Schools and Rail to Trails), and along a major highway. It has been identified by the community as a desirable place to have community amenities developed and a place for the community to gather. It is in an area that has cultural significance, in the early 1900's, it served as a transportation hub due to the presence of a train station that provided rail service to surrounding communities.

The site had a long history of being operated as a gasoline/service station by a family from 1935 until 2010 when Bay Lake Bank (Bank) foreclosed on the property. It had been the subject of two assessment and closure actions under the Wisconsin Department of Natural Resources (WDNR) for petroleum contamination and a former dump site.

Demographic Information and Indicators of Need

	Target Community (e.g. Census Tract)	City/Town or County	State	National
Population	4,452	22,908	5,725,352	308,745,538 ¹
Unemployment	7.5%	4.6%	7.3%	6.7% ²
Poverty Rate	17.7%	7.0%	8.9%	11.8% ³
Percent Minority	100%	22.3%	13.2%	26.7% ¹
Median Household Income	\$47,112	\$62,188	\$51,768	\$ 51.371 ³
Other	Oneida Members on Oneida Reservation	Oneida Reservation	Wisconsin	

¹Data is from the 2010 U.S. Census data and is available at <http://www.census.gov/>

²Data is from the Bureau of Labor Statistics and is available at www.bls.gov

³Data is from the 2012 American Community Survey and is available on American Factfinder at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Brownfields and Their Impacts

The former Hilltop BP property is located in the geographical center of the Oneida Reservation near the seat of the Tribal government, Tribal Schools, Tribal neighborhood developments, community service centers, a trail system (Safe Routes to Schools and Rail to Trails), and along a major highway. It has been identified by the community as a desirable place to have community amenities in the early 1900's. It served as a transportation hub due to the presence of a train station that provided rail service to surround communities.

The site had a long history of being operated as a gasoline/service station by a family from 1935 until 2010 when Bay Lake Bank (Bank) foreclosed on the property. It had been the subject of two assessments and closure actions under the Wisconsin Department of Natural Resources (WDNR) for petroleum contamination and a former dump site.

b. Welfare, Environmental, and Public Health Impacts

Welfare Impacts

Prior to the Tribe acquiring the property, it was perceived by the community, and supported by the lack of interested buyers of the property, to be contaminated. After the purchase of the property, community members raised concerns associated with redevelopment costs due to the need to conduct cleanup.

Other Challenges – Adjoining Sites

Several sites adjoining this site are brownfields and add to the real and perceived cumulative environmental and human health risk of the site. These include:

Northeast

- Former Mike & Diane's Tavern – This is a closed leaking underground storage tank site (LUST) whose contaminant plume co-mingles with the subject site and is the subject of another cleanup grant application.
- Former Morgan Property/Morgan Grocery/Morgan Store – It is a closed LUST site with continuing obligations and activity use limitations.
- Former Schroeder's Market – It is a closed LUST case.

West

- Oneida One Stop – It is a closed LUST case and recently performed the removal of approximately 1400 tons or 750 cubic yards of petroleum contaminated soil.

Cumulative Environmental Issues

The Oneida Reservation is a disproportionately affected community regarding environmental impacts. According to the WDNR's Remediation and Redevelopment website, there are 132

WDNR listed actions on or immediately adjacent to the Reservation. The EPA's Environmental Justice's EJView website lists four permitted air facilities, eight sites reporting under the Toxic Release Inventory, 117 hazardous waste generator permits, five (5) permitted water discharge facilities; 24 federally listed Brownfields, and 22 impaired streams.

There is a 293-acre operating subtitle D landfill immediately behind the Oneida Nation's Casino and Convention Center that is constructed on a historical wetland and has to be continually dewatered. In addition, there is also a 170-acre closed landfill that is now operated as a waste transfer station.

There are nine (9) identified and permitted Confined Animal Feeding Operations and numerous smaller animal farming operations on and immediately adjacent to the Reservation that further degrades surface water through run-off and contributes to high levels of phosphorous in Reservation waters.

Cumulative Public Health Impacts

Currently, the property is identified as blight and results in a loss of community connectedness. Tribal members often visited and congregated at the restaurant after community meetings, school functions, Pow-wows, religious services and other community events. This opportunity no longer exists. As a catalyst for the overall redevelopment of this area, this property provides an opportunity for the community to assist in creating a location for sustainable redevelopment that promotes health, safety and wellbeing.

Redevelopment of this property scenarios considered for this area includes creating a "central hub" for 24 miles of trails being constructed within the Oneida Reservation. Redevelopment of this site will compliment that goal and will enhance community safety and wellbeing.

c. Financial Need

i. Economic Conditions

The Tribe does not currently have a tax code and does not assess or levy taxes as a method to generate revenue. Revenue and operating expenses are primarily generated through tobacco sales and the gaming operations. Other contributions to Tribal operating expenses include federal grant dollars. Over the last several years, the economic downturn, a reduction in both gaming and tobacco sales, and an overall reduction in the amount of funding available to Tribes has created an unfavorable economic environment.

The Tribal Treasurer has identified that projected revenues would not cover estimated expenditures therefore budget reductions are necessary to balance the budget. In response to these pressures the Tribe adopted a Continuing Resolution for Fiscal Year 2017 to implement the following budget constraints:

1. Reduction in operational expenses
2. Freeze in employment levels
3. Freeze wage increases and reduce overtime
4. Stricter controls on capital expenditures

i. Economic Effects of Brownfields

This property was acquired below the fair market value due to its blighted nature and long-term vacancy. The idle nature of this site represents a loss of jobs from the previous operation of restaurant (approximately 15 employees) and gas station (approximately 3 employees). Though the number of jobs was small, the shuttering of this property created a depressed business environment.

The visual of the area is one of abandonment and vacancy. There were two nearby businesses that have since been shuttered, one because of fire and the other the Tribe has purchased and plans to demolish. The longer these properties remain unused or fenced, the more it discourages investment and redevelopment in this area of the Reservation. It also negatively impacts the value of nearby properties whether commercial or residential.

2. **PROJECT DESCRIPTION AND FEASIBILITY OF SUCCESS**

a. **Project Description**

i. Existing Conditions

Currently the site is vacant, the building has been demolished and the former UST system removed. There is a fence securing the site and a cap remains intact over both the petroleum contamination and former dump site. Work completed using EPA resources including Brownfield 128(a) funding and an EPA Targeted Brownfield Assessment to document site conditions includes:

- 2009 Area Wide Site Assessment
- 2014 Phase 1 All Appropriate Inquiry
- Quality Assurance Project Plan and Sampling and Analysis Plan development
- Tank Removal Site Assessment
- Monitoring well installation and groundwater sampling
- Targeted Brownfield Assessment performed by an EPA contractor
- Remedial excavation of approximately 700 cubic yards of petroleum contaminated soil

The project site (Site) is an irregularly shaped parcel of approximately 1.9 acres and zoned commercial and is in an area of commercial and residential land use. Southern, central, and eastern portions of the Property are unpaved and generally not vegetated, except for brushy vegetation and trees near the southern and southeastern property boundaries.

Overall topography in the area appears to slope slightly to the southeast toward Duck Creek located approximately 0.25 miles from the Property. Surface drainage is either toward storm water inlets within on the property or southeast towards a drainage ditch along the north side of STH 54.

Options for reuse will be consistent with the Central Oneida Vision plan adopted by the Oneida Business Committee. It is an area that the Oneida Community identifies as “Central Oneida” where the community gathered due to the former presence of stores, a railroad depot and a post office. Based on community feedback and surveys there is a strong desire to revitalize this area.

ii. Proposed Cleanup Plan

In fiscal year 2016, the Tribe received an EPA Brownfield Cleanup grant for \$65,325. The amount requested and subsequently awarded was not sufficient to complete the confirmatory sampling, data review and analysis necessary to document the reduction of contaminant mass and risk reduction.

This grant request was to document the remaining site conditions, calculate the reduction in contaminant mass and conduct an evaluation of the cumulative risk to human health and the environment. In addition, the soil backfill material requires compaction and an asphalt cap to allow for site reuse and further reduce the threat to groundwater by surface water infiltration. The information will be used to conduct a public education campaign regarding the site conditions and quantify the remaining threat to human health and the environment.

The information will be used to submit a no further action request that will be peer reviewed by the WDNR. This grant request aims to fulfill those needs to allow the site to be redeveloped according to the Oneida Community's Vision Oneida Plan.

iii. Alignment with Revitalization Plans

The Oneida Nation has a long standing tradition of incorporating sustainability and livability into its developments. Community feedback already has indicated a strong desire for this location to be a central location for revitalization that includes livable and walkable communities. The development of 24 miles of trails, intended to connect the various neighborhoods and community amenities are testimony to this principle. All of the Tribe's developments are built with attention to form, function and right size/right place. Development of this property as a central hub will provide a valuable connecting point for Oneida's Mass Transit system, biking and hiking trails and access to major roadways.

Options for reuse will be consistent with the Central Oneida Vision plan adopted by the Oneida Business Committee. It is an area that the Oneida Community identifies as “Central Oneida”. Historically, Central Oneida was a place where the community gathered due to the presence of stores, a railroad depot and a post office. Based on

community feedback and surveys there is a strong desire to revitalize this area. The area is close to the seat of government, Tribal schools, housing developments and a developed walking trail.

This project will allow for the Site to be reused in a manner consistent with Tribal development plans by removing or reducing the level of contamination and demonstrating that any remaining contamination no longer is perceived as a human health threat if the site is redeveloped. Current continuing obligations maintained on the property under Oneida's TERL limits the types of future reuse options.

Successful cleanup and readying the site for reuse will support Oneida's vision for sustainable development focused on health and wellness by:

- Maintaining Oneida's identity on the landscape
- Develop a community plan for reuse as a food and trail hub and a place to gather
- Maintain a physical connection to the location to live, work, play and learn
- Revitalize a service core on the Oneida Reservation
- Prepare the area for other redevelopment grant opportunities

b. Task Descriptions and Budget Table

Task Descriptions

The grant funds will be used to hire an environmental contractor to develop and implement a scope of work to meet the objectives of the award request.

Cleanup Plan:

Request for Proposals and Statement of Qualifications – Tribal Environmental Response Program (TERP), with assistance from an EPA Technical Assistance to Brownfields (TAB) contractor will develop and solicit for proposals that will include a statement of qualifications to perform the work necessary to achieve the award objectives that will facilitate the redevelopment of the property.

Workplan Development - The contractor will work with TERP to develop a workplan that clearly identifies the objectives of the activities, desired outcomes and deliverables. The objective of the workplan will be to establish a protocol and methodology to address the soils unable to be removed under the previous award, do a comprehensive statistical data analysis of site conditions that results in the quantitative risk evaluation.

Site Cleanup - The soils unable to be addressed under the previous award will be removed, fill material placed and compacted and an asphalt cap will be placed over the excavated areas to prevent the infiltration of groundwater. This will incorporate sustainable design principles and will allow for additional redevelopment to be considered.

Reporting Data Analysis and Risk Evaluation - The contractor will evaluate the information collected during the remedial activities, post excavation groundwater sampling and other historical data elements. This information will be summarized in a report that documents the mass of contaminants removed and/or attenuated as a result of remedial excavation activities, mass of contaminants remaining and attenuation factors, and an estimate of remaining contaminant life.

Public Outreach - A public education and outreach campaign will be conducted to educate the community about the project. This will include social media updates, publications in the Tribal newspaper, a billboard, and presentations at community meetings and presentations to Tribal boards and commissions. After completion of the project and in accordance with the TERP, a community outreach compliant with the Tribal Environmental Response Law (TERL) will be implemented. The plan will be developed with Oneida's Division of Land Management and will inform the community of the availability of the data analysis report, remedial activities report and if any Institutional or Administrative Controls are necessary.

Administrative Reporting - TERP will write grant progress reports and all other documentation required by the cooperative agreement including entry of the information into ACRES. The reporting will document the efforts and effectiveness of removing institutional or administrative controls that prevents land from being taken into trust by the Department of Interior, Bureau of Indian Affairs (BIA).

Budget Table

Budget Categories	Project Tasks (\$) (programmatic costs only)					Total
	Cleanup Planning	Site Cleanup	Community Outreach	Reporting	Cost Share In-kind	
Personnel (750 hours x \$23/hour)	\$2,875 (125 hrs.)	\$2,875 (125 hrs.)	\$5,750 (250 hrs.)	\$5,750 (250 hrs.)	\$17,250	0
Fringe Benefits (27.18%)	0	0	0	0	\$4,689	0
Travel	0	0	0	0	\$1,000	0
Equipment	0	0	0	0	0	0
Supplies	0	0	0	0	\$2,500	0
Contractual	\$7,500	\$104,675	\$7,500	\$15,000	0	\$134,675
Other (WDNR Review Fee)	0	0	0	0	\$2,500	0
Total Federal Funding (not to exceed \$200,000)	\$7,500	\$104,675	\$7,500	\$15,000	0	\$134,675
Cost Share (20% of requested federal funds)	0	0	0	0	\$27,939	\$27,939
Total Budget	\$7,500	\$104,675	\$7,500	\$15,000	\$27,939	\$162,614

Cost Share/In-kind Contribution – A Hardship Waiver Request is submitted with this grant proposal.

c. Ability to Leverage

The Oneida Nation is committed to redevelopment of this area. A property acquisition plan is in place to try to secure additional properties in this area. The goal of the acquisition plan is to implement the Vision Oneida concept of redevelopment in this area. A building demolition capital improvement plan has been approved to complete the necessary site work to facilitate this plan. This will include building demolition and utility easements. Oneida has identified Self-Governance funding from the Bureau of Indian Affairs, Tribal Transportation Program to redevelop the street-scape, and a commitment from the Kansas State University, Technical Assistance to Brownfields in proposal development and review, report reviews and assistance with developing community outreach.

3. COMMUNITY ENGAGEMENT AND PARTNERSHIPS

a. Engaging the Community

Immediately after the acquisition, and prior to the demolition of the building and removal of the USTs, TERP conducted outreach activities to inform the community of the acquisition of the property, its disposition, planned demolition activities and a point of contact for questions. This outreach was in the form of fact sheets distributed through the Tribe's email notification system, Tribal websites, Facebook pages and articles in the Tribal newspaper and a spot on "*This Week in Oneida*" - a video feature that documents significant activities on the Oneida Reservation.

The targeted community and stakeholders includes the Tribal membership of the Oneida Nation. Critical to the future redevelopment of this area is the support the community provides. Implementation of the Vision Oneida plan is dependent on additional acquisition of property in the area and community support is needed to allocate financial resources to accomplish this.

Continued outreach is a long-term plan for the redevelopment. It will include a series of community listening sessions, articles published in the Tribal newspaper, updates and information posted on Tribal website and several of the Tribal departments Facebook pages and design and construction of a billboard for the community to document the site activities.

b. Partnerships with Government Agencies

The acquisition of this property was the result of a combined effort of the Division of Land Management, Oneida Development Division, Oneida Risk Management, Oneida Law Office, Environmental, Health and Safety Division, Oneida Cultural Heritage

Department and the Oneida Communications Department. This effort will continue and be enhanced.

Other relevant Tribal, Federal and State Agencies:

Oneida Business Committee - This is the elected governing body of the Oneida Nation.

Oneida Land Commission – The Commission oversees land acquisitions, leases, loan approvals, land use, probates, and all other issues related to Oneida tribal land. They also create the policies of the Division of Land Management.

Environmental Protection Agency (EPA) - has already provided substantial support for this project by selecting it as a recipient of a Targeted Brownfield Assessment and previous Brownfield cleanup grant to remove some of the contaminated soils. In addition, the pre-acquisition All Appropriate Inquiry and limited assessment soils and removal of the UST system to assess those soils were supported by EPA through the Brownfield 128(a) award.

Wisconsin Department of Natural Resources (WDNR) - through the Liability Clarification Letter, requested by the Oneida Nation prior to acquisition of the property, has offered to provide technical support during this project when requested.

c. Partnerships with Community Organizations

Oneida Community Integrated Food Systems (OCIFS) - This is a Tribal entity that includes Oneida Farmers Market, Oneida Nation Farms, Oneida Retail and the Oneida Cannery who address issues related to food sovereignty, food distribution, intertribal food market development, and community education.

Oneida Environmental Resource Board (ERB) - is the original hearing body in matters concerning conservation and environmental laws and ordinances promulgated by the Oneida Nation and monitors environmental problems on the Oneida Reservation. The ERB is a conduit for Tribal members to actively participate with the Tribal Government.

Oneida Nation Arts Board - Their mission is to promote diverse artistic expressions within the community reflecting Oneida heritage and spirit for future generations. As redevelopment concepts are refined, input from this board will be sought to help create an identity reflective of the community.

d. Partnerships with Workforce Development Programs

During performance of the remaining cleanup, subsequent evaluation of risk and it is expected that no additional Tribal jobs will be created. Once the evaluation of collected data is completed, redevelopment of the property can be planned for. During the interim, the property has been identified as a possible location for the Oneida Farmer's Market that provides locally grown and prepared food and goods to the community. Currently a

food hub concept, complete with a cannery and distribution center is being evaluated that will create an additional 15 to 20 jobs and would provide job training opportunities.

4. PROJECT BENEFITS

a. Welfare, Environmental, and Public Health Benefits

By reducing blight and creating opportunities of redevelopment, consistent with Oneida principles, the Oneida community will have greater opportunities for economic redevelopment, recreational opportunities and creating a sustainable service core. The service core will address local food options by creating a potential space for a seasonal farmer's market or allowing for the development of the site as a food hub. Revitalization of this area will assist in creating a sense of place, establish a hub for the community and create connecting corridors to the 24 miles of walking and biking trails already created. This will reduce conflicts with pedestrians, bicyclists and vehicles.

Redevelopment of this area has long been hampered by the former structural footprint of the now demolished building, concerns over residual contamination and a perception of a human health threat. By implementing this project, with significant community input, the environmental concerns can be adequately addressed to the satisfaction of the community. This will pave the way for the Tribal community that makes up the General Tribal Council (governing body of the Tribe), to support the appropriation of Tribal funds to acquire and redevelop the remainder of the area identified as Central Oneida.

Options for reuse will be consistent with the Central Oneida Vision plan adopted by the Oneida Business Committee. It is an area that the Oneida Community identifies as "Central Oneida". Historically, Central Oneida was a place where the community gathered due to the presence of stores, a railroad depot and a post office. Based on community feedback and surveys there is a strong desire to revitalize this area. The area is close to the seat of government, Tribal schools, housing developments and a developed walking trail.

This project will allow for the Site to be reused in a manner consistent with Tribal development plans by removing or reducing the level of contamination and demonstrating that any remaining contamination no longer is perceived as a human health threat if the site is redeveloped. Current continuing obligations maintained on the property under Oneida's TERL limits the types of future reuse options.

b. Economic and Community Benefits

Addressing and managing the environmental concerns identified with this property will allow for redevelopment to occur under the Vision Oneida plan. This will include the development of a Central Oneida community gathering place, a food hub for economic development and a catalyst for additional redevelopment. Redevelopment of this location is currently being explored under several United States Department of Agriculture grants.

5. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Audit Findings

The Oneida Nation has not had any negative audit findings.

b. Programmatic Capability

The Oneida Tribal Environmental Response Plan (TERP) has developed and enhanced its capacity to administer and oversee environmental assessments and cleanup. This is demonstrated by the implementation of the Tribal Environmental Response Law and guidance documents. The Environmental Area Project Manager and the Environmental Specialist who administer the TERP have over forty years of combined experience in the assessment, management and cleanup of environmental contaminated sites.

TERP has successfully executed the four elements required under an environmental response program since 2006 and provides technical assistance to other developing Tribal environmental response programs. Additionally, within the Liability Clarification letter the Tribe received from the state, there are repeated references to assisting and providing guidance to the Tribe if requested. When necessary TERP will consult with them regarding helpful administrative procedures related to the Tribe implementing its authority under TERL.

This project will highlight the capacity of TERP to identify, assess and oversee activities related to the cleanup of the site that is a hindrance to reuse and redevelopment of the property. It highlights the coordination between TERP and the Oneida Compliance Assistance Program and the environmental program management capacity the Tribe has developed through Indian General Assistance Program (GAP) and other EPA grants.

c. Measuring Environmental Results: Anticipated Outputs/Outcomes

Successful cleanup and readying the site for reuse will support Oneida's vision for sustainable development focused on health and wellness by:

- Maintaining Oneida's identity on the landscape
- Develop a community plan for reuse as a food and trail hub and a place to gather
- Maintain a physical connection to the location to live, work, play and learn
- Revitalize a service core on the Oneida Reservation
- Prepare the area for other redevelopment grant opportunities

Output	Outcome
Planning <ul style="list-style-type: none"> • Develop RFP • Select Contractors • Develop cleanup completion Workplan 	Planning <ul style="list-style-type: none"> • Mechanism for approval of Cleanup plans are demonstrated • Capacity to oversee contractors And ensure compliance with regulatory requirements
Cleanup <ul style="list-style-type: none"> • Target site cleaned up • Amount of contaminants Removed • Removal of land use or administrative restrictions 	Cleanup <ul style="list-style-type: none"> • Increased acres ready for reuse and ready for sustainable community design redevelopment • Decrease contaminants in the environment • Ability to document effectiveness of cleanup plan and oversight authorities • Employment for Tribal workers
Community Involvement <ul style="list-style-type: none"> • Community Meetings • Create partnerships 	Community Involvement <ul style="list-style-type: none"> • Community is aware and supportive of the project • Community assists in developing reuse plans
Reporting <ul style="list-style-type: none"> • Develop and submit reports • Reports document removal of environmental administrative and institutional restrictions 	Reporting <ul style="list-style-type: none"> • Administrative record is developed and provides a model for future activities • Ability to report on achievement of goals

d. Past Performance and Accomplishments

i. Currently or Has Ever Received an EPA Brownfields Grant

Oneida has received a Brownfield 128(a) award since 2006 and has successfully met the workplan deliverables, schedule and terms and conditions. The Brownfield Cleanup Award received on October 1, 2015 (FY16) was fully implemented by January 2016.

Oneida has met all quarterly performance and grant deliverables, and has entered the information into the Assessment, Cleanup and Redevelopment Exchange System (ACRES) reporting system.

1. Accomplishments

Under Oneida's 128(a) award and the programmatic capability developed, the following are notable accomplishments:

- Oneida has received a Brownfield 128(a) award since 2006
- Passage of a Tribal Environmental Response Law and establishment of a Tribal Environmental Response Program

- Issuance of four administrative orders under the response law
- A public record of brownfield sites has been maintained since 2005
- Completion of three Phase 1 AAI's that resulted in the acquisition of contaminated property
- Implementation of a Brownfield Cleanup award was for \$65,325 that resulted in the excavation and disposal of 878 tons of petroleum contaminated soil, (these outputs and outcomes have not yet been reported in ACRES at the time of this proposal submission but will be uploaded when the results of the sampling completed are received.

2. Compliance with Grant Requirements

The Oneida Nation has met all quarterly performance and grant deliverables, and has entered the information into the Assessment, Cleanup and Redevelopment Exchange System (ACRES) reporting system.

Other Factors Checklist

Appendix 3 Cleanup Other Factors Checklist

Name of Applicant: Oneida Nation

Please identify (with an *x*) which, if any of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the selection process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

Other Factor	Page #
Community population is 10,000 or less.	X Page 1
Applicant is, or will assist, a federally recognized Indian tribe or United States territory.	X Page 1 & 2
Targeted brownfield sites are impacted by mine-scarred land.	
Applicant demonstrates firm leveraging commitment for facilitating brownfield Project completion by identifying amounts and contributors of funding in the proposal and have included documentation.	X Page 8 & Attachment
Recent (2008 or later) significant economic disruption has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	X Page 4 & Waiver Request
Applicant is one of the 24 recipients, or a core partner/implementation strategy party, of a "manufacturing community" designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership (IMCP). To be considered, applicants must clearly demonstrate in the proposal the nexus between their IMCP designation and the Brownfield activities. Additionally, applicants must attach documentation which demonstrates either designation as one of the 24 recipients, or relevant pages from a recipient's IMCP proposal which lists/describes the core partners and implementation strategy parties.	
Applicant is a recipient or a core partner of HUD-DOT-EPA Partnership for Sustainable Communities (PSC) grant funding or technical assistance that is directly tied to the proposed Brownfields project, and can demonstrate that funding from a PSC grant/technical assistance has or will benefit the project area. Examples of PSC grant/technical assistance include a HUD Regional Planning or Challenge grant, DOT Transportation Investment Generating Economic Recovery (TIGER), or EPA Smart Growth Implementation or Building Blocks Assistance, etc. To be considered, applicant must attach documentation.	
Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant.	

Justification for Hardship Waiver

REQUEST

The Oneida Nation is requesting a Hardship Waiver for the 20% Brownfields Cleanup Grant match.

DEMOGRAPHICS

Brown and Outagamie Counties were established after the Oneida Reservation. The result is the Oneida Reservation straddles both counties.

The poverty rate is for American Indians/Alaska Natives on the Oneida Reservation, so American Indians/Alaska Natives should be used instead of Oneidas.

Here is the breakdown of poverty in specific locations:

	Families Below Poverty	Individuals Below Poverty
United States	11.7%	15.9%
Wisconsin	8.9%	13.3%
Brown County, WI	8.7%	11.9%
Outagamie County, WI	5.8%	8.5%
Oneida Reservation, WI	7.0%	8.5%
AIAN on Oneida Reservation, WI	17.7%	16.9%

(U.S. Census Bureau 2013 American Community Survey 3-Year Estimates)

You could say that the poverty rate of AIAN families on the Oneida Reservation is 153% greater than those of all families on the Oneida Reservation.

Economic Stressors

The Tribe does not currently have a tax code and does not assess or levy taxes as a method to generate revenue. Revenue and operating expenses are primarily generated through tobacco sales and the gaming operations. Other sources of Tribal revenue include federal grant dollars. Over the last several years, the economic downturn has also affected Tribes.


The Oneida Nation has projected revenues would not cover estimated expenditures and therefore budget reductions are necessary to balance the budget. In response to these pressures the Tribe adopted a Continuing Resolution for Fiscal Year 2017 to implement the following budget constraints:

1. 12% reduction in operational expenses
2. Freeze in employment levels and a goal for a reduction of workforce levels through attrition and utilizing the existing employees.
3. Freeze wage increases and reduce overtime.
4. Eliminate travel by Tribal employees.
5. Stricter controls on capital expenditure

Contingency Plan if the Cost Share-Waiver is not granted

If the waiver is not granted, the project will not occur.

Prepared By:


Victoria Flowers
Environmental Specialist

Reviewed & Approved By:


Jeffrey Mears
Environmental Area Manager

Oneida Tribe of Indians of Wisconsin
Environmental, Health & Safety Division

Little Bear Development Office
PO Box 365
N7332 Water Circle Place
Oneida, WI 54155
Phone (920) 869-4591
FAX (920) 869-1610



Conservation Field Office
PO Box 365
N8047 County Road U
Oneida, WI 54155
Phone (920) 869-1450
FAX (920) 869-2743

December 2, 2015

NOTICE OF AVAILABILITY

Introduction: The Oneida Environmental, Health and Safety Division (EHSD) is making available to the public the Analysis of Brownfield Cleanup Alternatives (ABCA) and notice of a Public Meeting on December 3, 2014 at the Oneida Business Committee Conference Room during the Community Development Planning Committee Meeting at Norbert Hill, 10:00 – 11:00 am to present alternatives considered. The ABCA is for the former Hilltop BP (Appleton's) at N7284 Cty Rd J, Oneida Reservation, Town of Oneida, Outagamie County, WI, Outagamie Parcel Identification number 170222900.

This is also notification of the intent of EHSD to submit for a United States Environmental Protection Agency (EPA) Brownfield Cleanup Grant (Grant). In order for the funding request to be considered, this notice and a public meeting are required to present the cleanup plan.

Brief Description of the Proposed Alternatives:

The two alternatives considered are:

- Maintain the site as is and continue with the land use restrictions (no action alternative);
- Excavate soil contaminated above the non-industrial (residential) contact threat to remove the land use restrictions and conduct a cumulative risk evaluation.

Previous Environmental Review: Petroleum contamination was confirmed during a Targeted Brownfield Assessment completed in February 2014. In compliance with the Tribal Environmental Response Law (TERL), EHSD provided notice to the Oneida Division of Land Management (DOLM) of the need prevent direct human contact of soil contamination above calculated direct contact threat values.

Statement of Need:

The development of a cleanup is necessary to continue to develop the "*Vision Oneida*" development plan. By removing the administrative conditions to the use of the property, a greater range of site use options can be considered.

Document Availability and Comments: Interested parties can obtain copies the of the referenced documents and the proposed plan from the above address in care of the Environmental, Health and Safety Division Director or from the Oneida Nation website <http://www.oneidanation.org/environment/>. Comments regarding the proposed project may also be presented within 14 days of the above date. Contact Patrick Pelky, Environmental, Health and Safety Division Director, at (920) 869-4590 with any questions, requests, or comments regarding this matter.

Call the Kalihwisaks at
1-800-206-1100
ext. 7317 to place an ad

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Oneida, Wisconsin 54155

EMPLOYMENT

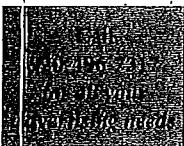
Looking for a rewarding career providing direct support to people with disabilities?
Join Homes for Independent Living Today!
Locations include: Green Bay, De Pere, New Franken, Pay \$10-12/hr.
Responsibilities:
• Assisting with personal cares
• Medication Administration/Health monitoring
• Meal preparation/feeding
• Assist in recreational activities
Apply at www.hil-wi.com
(920) 393-1925.

EMPLOYMENT

The Democratic Party of Wisconsin is hiring in our Communications and Membership Departments.
www.wisdems.org

EMPLOYMENT

Rural Development Specialist
Wisconsin Community Action Program Assn., Inc. (WISCAP) is looking for a Rural Development Specialist (60% FTE) to work in Northern Wisconsin. The job requires working with low-income rural communities and Native American tribes on issues relating to water/wastewater facility development, financial management, record-keeping and reporting and will provide technical assistance to utility staff.
A Bachelor's Degree or equivalent experience and computer skills are required. Additional knowledge of USDA Rural Development and the Community Development Block Grant (CDBG) program along with experience working with Native American Tribes are desired. Travel is required. A valid Wisconsin Driver's License and a dependable, insured vehicle are needed.
Mail resume to:
WISCAP, Attn.: Director of Administration, 1310 Mendota Street, Suite 107, Madison, WI 53714 or e-mail to wiscap@wiscap.org with the job title in the subject line of all e-mails.
DEADLINE FOR SUBMISSION: 4:30 p.m., Wednesday, December 9, 2015.



**Oneida Tribe
Employment Opportunities**

FOR SALE

HOME FOR SALE
4-bedroom ranch, 2 stall garage, N7147 Path of the Wolf. Call Terrie, 920.530.3389.

FOR SALE

DARK COLORED CHINA CABINET
32" wide x 72" high \$100. FMI call 920.470.7248

Oneida Tribe of Indians of Wisconsin Environmental, Health & Safety Division

NOTICE OF AVAILABILITY

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The two alternatives considered are:
• Maintain the site as is and continue with the land use restrictions (no action alternative);
• Excavate soil contaminated above the non-industrial (residential) contact threat to remove the land use restrictions by conducting a cumulative risk evaluation.

Previous Environmental Review: The presence of contamination was confirmed during a an All Appropriate Inquiry Phase 1 prior to acquisition and is based on the State of Wisconsin's Department of Natural Resources case associated with this site. In compliance with the Tribal Environmental Response Law (TERL), EHSD has provided notice to the Oneida Division of Land Management (DOLM) of the need prevent direct human contact of soil contamination above calculated direct contact threat values.

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LEGAL NOTICE

Setting Time and Notice to Creditors:

Request for Information
The following estates are being prepared for probate by the United States Department of the Interior and/or the Oneida Tribe of Indians of Wisconsin, Land Commission, Division of Land Management. All creditor claims must be filed on or before December 22, 2015.

Alice Nihnam
DOB: 06/05/1934
DOD: 12/18/2013

Send all creditors' claims and information relating to the decedent to the following address:

Tina L. Figueroa
Land Title and Trust Specialist
Oneida Tribe of Indians of Wisconsin
Division of Land Management
PO Box 365
Oneida, WI 54155

Dated:
Wednesday
October 6, 2015



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Oneida Tribe of Indians of Wisconsin Environmental, Health & Safety Division NOTICE OF AVAILABILITY

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• Excavate soil contaminated above the non-industrial (residential) contact threat to remove the land use restrictions and conduct a cumulative risk evaluation.

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Document Availability and Comments: Interested parties can obtain copies the of the referenced documents and the proposed plan from the above address in care of the Environmental, Health and Safety Division Director or from the Oneida Nation website <http://www.oneidanation.org/environment/>. Comments regarding the proposed project may also be presented within 14 days of the above date. Contact Patrick Pelky, Environmental, Health and Safety Division Director, at (920) 869-4590 with any questions, requests, or comments regarding this matter.

ONEIDA EMPLOYEE BINGO NIGHT

WED., DEC. 23

Sales 6:30pm • Session 10:00pm



NEW EXCITEMENT

PAYING DOUBLE—Bingo on an EVEN number and the payout DOUBLES, valid on all games except Blackout.

BLACKOUT—Win \$1,199 or take your chances to spin the wheel to win anywhere from \$500—\$5,000. Valid only when there is one single winner on Blackout.

CASH BALL—The cash ball starts out at \$500 and increases by \$50 every time it is called. If the cash ball is not won at the session, it will carry over to the next employee bingo session.

1. Double Postage Stamp	\$100
2. Triple Postage Stamp	\$200
3. Crazy Bingo	\$100
4. Any Outside Line	\$100
5. Six Pack Anywhere	\$100
6. Twelve Pack Anywhere	\$200
7. Crazy Bingo	\$100
8. Any Two Brackets	\$100
9. Any Outside Line	\$100

PRICES:

6-on entry \$15
6-on extra \$5

Cash Ball \$1 (sold separately)
Dual Dob \$1 (sold separately)
Double Triple Game \$2 (sold separately)
Crazy T \$2 (sold separately)

*Games 11, 12 and 17 are not included in the pack and can be purchased separately. Bowed games are played on the same sheet.

Community Development
Planning Committee



PLEASE SIGN - IN
December 3, 2015

❖ Return to Jessica Wallenfang

#	NAME	DEPARTMENT
1	David Jordan	OBC
2	Michele Dostaler	Retail
3	JOANIE BUCKLEY	ISD
4	Brian A. Dostaler	OBC
5	Joan Christnot	Head Start / EHS
6	Ucky Dem	Head Start / EHS
7	Jacque Bayle	DPW
8	Craig Clauson	DPW
9	Bill VerVoort	OCIFS
10	Anita Barber	Cultural Heritage
11	Pawn Billie	OBC
12	Tehassi Hill	OBC
13	PAUL WITEK	ENGINEERING
14	Jenny Webster	OBC
15	Meissa Nathals	Planning
16	QA T.M.H.	Tsyunhchikwa
17		
18		
19		
20		

Threshold Criteria for Brownfields Cleanup Grant

- Former Hilltop BP Property

1. Applicant Eligibility

The Oneida Nation is a federally recognized Indian Tribe consisting of over 17,000 members, over one-third of who live on or near the 65,400 acre, semi-rural reservation. The Oneida Indian Reservation was established by the Oneida Treaty of 1828 (7 Stat. 566, Feb. 3, 1838).

2. Site Ownership

The Oneida Nation is the Sole Owner of the property. It was acquired on November 2, 2015.

3. Basic Site Information

Former Hilltop BP (Appleton's)
N7284 County Road J
Oneida, Wisconsin
Oneida Nation - owner

4. Status and History of Contamination at the Site

Prior to taking ownership of the property on July 2, 2014, an All Appropriate Inquiry (AAI) was completed that revealed recognized environmental conditions (RECs) or environmental concerns in connection with the Property. The RECs identified included former gas station operations, former dump site and confirmation soil, soil vapor and groundwater contamination.

After acquisition, the Tribe requested assistance from the EPA START program to perform a Targeted Brownfield Assessment (TBA) to further characterize the site.

An EPA Brownfield Cleanup Grant for \$65,325 was awarded in FY2015. The funding was used to develop a Quality Assurance Project Plan, Sampling and Analysis Plan, perform some remedial excavation and confirmatory soil sampling. Tribal contribution for this cleanup project included staff and equipment time, backfill materials and map creation.

Approximately \$40,000 of Brownfield 128(a) was used to conduct an assessment under the former underground storage tanks and building footprint, and install and sample groundwater monitoring wells. Approximately \$20,000 of Brownfield 128(a) funding was used to remove additional petroleum contaminated soil not able to be addressed under the initial cleanup award.

5. **Brownfields Site Definition**

The property is located in the geographical center of the Oneida Reservation near the seat of the Tribal government, Tribal Schools, Tribal neighborhood developments, community service centers, a trail system (Safe Routes to Schools and Rail to Trails), and along a major highway.

This site has a long history of being operated as a gasoline/service station by a family from 1953 until 2010 when Bay Lake Bank foreclosed on the property. It had been the subject of two assessment and closure actions under the Wisconsin Department of Natural Resources for petroleum contamination and a former dump site.

6. **Environmental Assessment Required for Cleanup Proposals**

A Phase II site assessment report dated September 30, 2014 and a Targeted Brownfield Assessment dated February 2015 has been completed. Phase II documentation is also available from the previous work done during the Wisconsin Department of Natural Resources Leaking Underground Storage Tank case. A Targeted Brownfield Assessment completed by EPA's START is available and is listed on the EPA's ACRES database. All of this information has been evaluated and has defined the degree and extent of environmental contamination.

7. **Enforcement or Other Actions**

Not applicable.

8. **Sites Requiring a Property-Specific Determination**

The site does not require a Property-Specific Determination.

9. **Site Eligibility and Property Ownership Eligibility**

The Oneida Nation is the current owner of the site. It was purchased on July 2, 2014.

(a) **Property Ownership Eligibility – Hazardous Substance Sites**

(1) **CERCLA §107 Liability**

Not applicable.

(2) **Information on Liability and Defenses/Protections**

Not applicable

(b) **Property Ownership Eligibility – Petroleum Sites**

(1) **Information Required for a Petroleum Site Eligibility Determination**

a. Current and Immediate Past Owners

The current owner of the site is the Oneida Nation. Previous to this, the property was owned by Bay Lake Bank who received it from foreclosure. Prior to the foreclosure, the property owner was Keith Appleton, whose family had owned and operated the service station since 1935.

b. Acquisition of Site

The Oneida Nation purchased the property on July 2, 2014 from Bay Lake Bank. The Tribe holds a Special Warranty Deed due to the Bank acquiring it through foreclosure.

c. No Responsible Party for the Site

The Tribe did not operate the facility. Immediately following acquisition, the Tribe demolished the building and removed the underground storage tank system and conducted additional assessment. The former property owner had filed bankruptcy prior to the bank foreclosing on the property.

d. Cleaned Up by a Person Not Potentially Liable

When the Tribe purchased the property the underground storage tanks were empty and since taking ownership has removed the underground storage tank system, the building and imposed its own administrative conditions on the site, through its Tribal Environmental Response Law (TERL), which includes maintaining a cap over the contamination and is compliant with previous state issued administrative conditions. A security fence controls access to the site.

The Oneida Division of Land Management will work with adjacent property owners to secure access if necessary. Neighboring property access has not been an issue for previous phases of assessment. Environmental sampling conducted to date, has identified that the property has a comingled contaminant plume with an adjacent Tribally owned property that will be addressed under an EPA Brownfield cleanup grant.

e. Relatively Low Risk

The LUST case administered by the state was closed with continuing obligations in 2015. There has not been any change in this status and therefore the site is considered low risk. The site is not currently funded with LUST trust fund money.

f. Judgements, Orders or Third Party Suits

There are no pending judgments, orders or third party suits for this site.

g. Subject to RCRA

The site is not subject to any order under section 9003(h) of the Solid Waste Disposal Act as determined through EPA's evaluation of this site for eligibility that was conducted for using Brownfield 128(a) funds for Phase 1 and Phase 2 studies already completed, and for the Targeted Brownfield Assessment conducted by EPA.

An EPA Brownfield Cleanup grant and funding from the Tribe's 128(a) award were used to remove approximately 700 cubic yards of petroleum contaminated soil.

h. Financial Viability of Responsible Parties

The previous owner/operator of the site lost the property through foreclosure to the bank and filed bankruptcy and was unable to satisfy their obligations to assess and/or cleanup the site.

10. Cleanup Authority and Oversight Structure

Previous to the Tribe assuming ownership, the site was enrolled in the state response program and was closed under the provisions of that program. Since the Tribe acquired the property, it has been enrolled in our Tribal voluntary response program. The state does not have the authority to compel the Tribe to enroll its properties in its response program. If the Tribe chooses to participate it would be voluntary and as an equal partner with the state.

To maintain its regulatory position in this project, Tribal Environmental Response Program (TERP), will hire a qualified contractor to complete the work via an EPA approved workplan and a quality assurance project plan. Selection of the contractor will be according the procurement provisions of 40 CFR 31.36. TERP staff includes qualified Environmental Professionals who will oversee the work of the contractor to assure it meets all requirements of the Tribal Environmental Response Law (TERL).

11. Statutory Cost Share

The budget table provides the identified cost share of \$27,939. A request for a hardship cost share waiver is included in a separate attachment. Without the waiver, this project will not proceed.

12. **Community Notification**

On December 3, 2015 a Notice of Availability indicating the intent to apply for the cleanup grant was published, posted and the draft analysis of brownfield cleanup alternatives (ABCA) was made available. A public meeting was also held on December 3, 2015 with Community Development Planning Commission to allow the community to ask questions. The comment period for the Notice of Intent concluded on December 17, 2015. Copies of these documents and community meeting minutes are provided in an attachment.

Jeffrey Mears
Environmental Area Manager
Oneida Tribe of Indians of Wisconsin
P.O. Box 365
Oneida, WI 54155

December 8, 2016

Subject: Letter of Commitment - Technical Assistance to Brownfields (TAB) Program
For Two EPA Brownfield Cleanup Grant Applications

Dear Mr. Mears,

The TAB program is pleased to provide this letter documenting our partnership and support, of the Oneida Tribe of Indians of Wisconsin, regarding the Tribe's application for supplemental cleanup funding for the Hilltop Property (for which you received a Cleanup grant in FY15), and a new cleanup grant for an adjacent property. For the past two years TAB has worked with Oneida's Tribal Environmental Response Program (TERP) regarding the Tribe's planning efforts around these grant applications. This letter outlines the follow-on activities that TAB plans to assist with.

TAB will assist with one or both cleanup grants, if awarded, to provide technical support to the Tribe to develop and review of RFP for an environmental contractor, review reports and assist with community outreach. This may also include assisting with review of your environmental contractor's risk assessment for the Hilltop site after completion. That risk assessment will be important both to successfully remove site use restrictions in order to facilitate redevelopment and to gain the acceptance of this property into trust by the Department of Interior on behalf of the Tribe.

Based on our years of partnering with other entities, we anticipate that the technical support will constitute approximately \$5,000 of leveraged effort and that TAB will expend up to approximately \$10,000 per year on technical document reviews, community outreach, and other assistance for the Tribe overall.

We strongly support and wish you luck on your proposal, and with your brownfields redevelopment efforts in general.

Sincerely,



Blase A. Leven
TAB Program Coordinator

Oneida Tribe of Indians of Wisconsin
Environmental, Health & Safety Division

Little Bear Development Office
PO Box 365
N7332 Water Circle Place
Oneida, WI 54155
Phone (920) 869-4591
FAX (920) 869-1610



Conservation Field Office
PO Box 365
N8047 County Road U
Oneida, WI 54155
Phone (920) 869-1450
FAX (920) 869-2743

Mr. Brad Bradley
Brownfields Project Manager
USEPA REGION 5
77 West Jackson Boulevard
Mail Code: SM-7J
Chicago, IL 60604-3507
Bradley.Brad@epa.gov

Re: Site Specific Work - Environmental Site Assessment

Dear Mr. Bradley:

This document accompanies two property profile forms and attachments for properties that Oneida would like to address under our Brownfield 128(a). The properties are being considered for acquisition and need an ASTM 1527-13 and AAI rule compliant Environmental Site Assessment (ESA). The purpose of the ESA is to summarize key environmental issues identified with possible future redevelopment of the area.

Each of these properties was previously determined to be eligible in 2009 during the performance of an Area Wide Site Assessment that evaluated 15 properties. Due to the expiration of the previous ESA, it now requires updating. The scope of this ESA is limited to 2 properties in an area identified as Upper Central Oneida. It is located in northeast quarter, of the northeast quarter, of Section 4, Town of Oneida, Outagamie County, Township 23 North, Range 19 East (Figure 1).

Current uses of the area include commercial, retail, recreational and residential. The area has had a long history of public and private uses. Review of available information from the Wisconsin Department of Natural Resources (WDNR) reveals a complex history of environmental actions associated with this area.

If you have any questions, please feel free to contact me at (920)869-4548.

Sincerely,

Victoria Flowers
Environmental Specialist
Oneida Environmental, Health and Safety Division

Oneida Tribe of Indians of Wisconsin
Tribal Brownfields Program
Site Specific Eligibility Determination

1. Name of site	Former Mike & Diane's
2. Address of site	W141 Service Road, Oneida, WI PIN# 170222700 & 170222800
3. GPS Coordinates	WTM83/91 E 663738 N449214
4. Will application for waiver of \$200,000 per site funding limit be submitted?	No
5. Is the site listed or proposed for listing on the NPL?	No
6. Is the site subject to administrative orders, court orders, etc., under CERCLA?	No
7. Land Jurisdiction	Within the Reservation, Individual Fee Land
8. Current owner	Steve Ambrosious
9. When did current owner become owner?	~3 years ago
10. Who was the site acquired from?	Unknown
11. Is the site contaminated by petroleum products or hazardous substances?	Neighboring hazardous waste site (WDNR 02-45-000016) & and closed petroleum site (WDNR 03-45-227953)
12. What is the operational history of the site?	Bar
13. What is the current usage of the site?	Bar
14. Identify environmental concerns, if known.	Petroleum Contamination
15. Is the site a petroleum site?	Yes, is an active petroleum site (WDNR 03-45-227953) – conditional closure (Previously determined eligible in July 2009)
16. Explain the phase of assessment, if any, that has been completed to date. Provide dates.	Area wide site assessment Phase 1 August 2009 EPA determined eligible
17. How did the site become contaminated including the extent and nature of contamination?	Underground storage tanks – gasoline
18. Identify known ongoing or anticipated environmental enforcement actions.	None – continuing obligations, surface cap
For sites not owned by the Tribe	
19. Describe relationship with the owner.	None
20. Describe owners role in work to be performed	Allowing access, providing historical information and interview
21. Describe how the Tribe will gain access to the site	Access agreement

For sites owned by the Tribe	NOT APPLICABLE
22. Describe how the Tribe took ownership of the site	Potential acquisition
23. Did all disposal of hazardous substances occur before the Tribe owned the property?	NOT APPLICABLE
24. Describe inquiry into previous ownership.	Phase 1 August 2009 and proposed Phase 1
25. Describe usage of the site, past and present.	NOT APPLICABLE
26. Describe any liability the Tribe may have.	NOT APPLICABLE
27. Identify any known parties who may be potentially liable	NOT APPLICABLE
28. Describe appropriate care the Tribe exercised with respect to hazardous substance found at the site.	NOT APPLICABLE
29. Will the Tribe comply with all land use restrictions, institutional controls, assist and cooperate with those performing cleanup, provide access to the property, comply with all information requests, and provide all legally required notices.	NOT APPLICABLE
30. What is the purpose of this assessment? Does the Tribe plan on redeveloping or reusing the property? Did a Tribal member request this assessment?	NOT APPLICABLE
For petroleum contaminated properties	Note the Tribe will provide information and documentation in a narrative form regarding the below four questions so that EPA can make the site eligibility determination for petroleum contaminated properties.
31. Is the site of relatively low risk within the State and the reservation?	Yes, it is a closed site (WDNR 03-45-001091)
32. Is there a viable responsible party as defined in the CERCLA 104(k) grant guidelines for the year in which the Tribe was awarded this funding?	No – Former property owner declared bankruptcy. The site was contaminated a number of years ago by former USTs removed in 1998.
33. Will the site be assessed, investigated or cleaned up by a liable party?	Site is conditionally closed
34. Are there any outstanding orders on the site?	No

Wisconsin Department of Natural Resources
Environmental Cleanup & Brownfields Redevelopment

BRRTS on the Web

Click the Location Name below to view the Location Details page for this Activity. Other Activities, if present, may be viewed from that page.

03-45-227953 MIKE & DIANES TAVERN (FORMER)						
Location Name (Click Location Name to View Location Details)				County	WDNR Region	
W141 SERVICE RD				OUTAGAMIE	NORTHEAST	
Address				Municipality		
W141 SERVICE RD				ONEIDA		
Public Land Survey System			Latitude	Google Maps	RR Sites Map	
NE 1/4 of the NE 1/4 of Sec 04, T23N, R19E			44.5019722	CLICK TO VIEW	CLICK TO VIEW	
Additional Location Description			Longitude	Facility ID	Size (Acres)	
NONE			-88.1918883	445141620	.3	
Jurisdiction	PECFA No.	EPA Cerclis ID	Start Date	End Date	Last Action	
DNR RR	54155-9659-41		1998-05-04		2015-06-05	
Characteristics						
PECFA Tracked?	EPA NPL Site?	Eligible for PECFA Funds?	Above Ground Storage Tank?	Drycleaner?	Co-Contamination?	On GIS Registry? (i?)
Yes	No	Yes	No	No	No	No
Actions						
Place Cursor Over Action Code to View Description						
Date	Code	Name	Comment			
1998-05-04	33	Tank Closure Environmental Site Assessment Rpt Received				
1998-05-04	1	Notification				
1999-08-25	2	RP Letter Sent				
2000-03-06	43	Status Report Received	PARTIAL SITE INVESTIGATION REPORT RECEIVED			
2002-05-21	99	Miscellaneous	WDNR REQUESTS STATUS UPDATE			
2002-06-06	99	Miscellaneous	WDNR REQUEST TO COMPLETE SI			
2002-10-22	3	Notice of Noncompliance (NON)				
2003-08-04	43	Status Report Received	CLARIFICATION OF ECCI'S RELATIONSHIP WITH RP			
2008-05-23	43	Status Report Received	NEW RESPONSIBLE PARTY			
2009-09-25	99	Miscellaneous	UPDATE REQUESTED			
2010-06-22	2	RP Letter Sent	NEW PROPERTY OWNERS - STEVE AMBROSIUS			
2010-07-13	43	Status Report Received	NOTIFICATION THAT A CONSULTANT HAS BEEN HIRED			
2010-10-12	35	Site Investigation Workplan Received (w/out Fee)				
2010-10-12	30	Site Investigation Workplan Go Ahead (notice to proceed)				
2011-07-05	43	Status Report Received	SI REPORT EXPECTED IN AUGUST 2011			
2011-09-08	130	DNR Regulatory Reminder Sent	Vapor Intrusion (VI) Assessment Notification Ltr Sent			
Linked to Code 130: 0345227953_VI_Letter.pdf Click to Download or Open						
2011-10-19	37	SI Report Received (w/out Fee)	*** SITE INVESTIGATION DETERMINED BY DSPS TO BE COMPLETE - FROM DSPS DATA INTERCHANGE ***			
2011-11-01	37	SI Report Received (w/out Fee)				
2011-11-10	76	Activity Transferred to DSPS (formerly Commerce)	PER CONSULTANT REQUEST			
2013-07-02	89	DSPS (formerly Commerce) Transferred Back to DNR	PECFA PROGRAM TRANSFER 2013-2015 STATE BUDGET			
2013-10-25	99	Miscellaneous				

			CONSULTANT UPDATE, MW-11 FLUSHMOUNT REPLACED WITH ROAD CONSTRUCTION, GW SAMPLED, RESULTS IN 2 WEEKS
2013-10-25	99	Miscellaneous	UPDATED EPA ON SITE STATUS
2014-04-25	43	Status Report Received	STATUS REPORT RECEIVED
2014-05-02	99	Miscellaneous	REQUESTED COST TO CLOSURE BE SUBMITTED
2014-05-20	99	Miscellaneous	PECFA BID DEFERRAL REQUEST RECEIVED
2014-05-21	99	Miscellaneous	PECFA BID DEFERRAL APPROVED
2014-08-06	195	<u>Semi-Annual/PECFA Cost Reporting Requirement Met</u>	Period: 1/1/2014 - 6/30/2014
Click 195 Action Name above to view the NR700 report			
2014-09-10	43	Status Report Received	CLOSURE TO BE SUBMITTED THIS WEEK
2014-09-19	700	Date Groundwater Registry Fee Received	
2014-09-19	779	Closure Review Fee Received	
2014-09-19	50	GIS Registry Site	
2014-09-19	710	Date Soil Registry Fee Paid	
2014-09-24	198	Request for Additional Information (Fee-Based or Closure)	AR Pause
2014-09-24	79	Closure Review Request Received	
2014-10-07	199	Additional Information Received (Fee-Based or Closure)	AR Restart
2014-10-13	198	Request for Additional Information (Fee-Based or Closure)	AR Pause - Incomplete
2014-12-02	43	Status Report Received	ADDT'L CLOSURE INFO WILL BE SUBMITTED THE END OF THE WEEK
2014-12-09	199	Additional Information Received (Fee-Based or Closure)	AR Restart
2014-12-17	198	Request for Additional Information (Fee-Based or Closure)	AR Pause - Incomplete
2015-01-16	199	Additional Information Received (Fee-Based or Closure)	AR Restart
2015-01-20	198	Request for Additional Information (Fee-Based or Closure)	AR Pause - Incomplete
2015-02-02	195	<u>Semi-Annual/PECFA Cost Reporting Requirement Met</u>	Period: 7/1/2014 - 12/31/2014
Click 195 Action Name above to view the NR700 report			
2015-03-17	199	Additional Information Received (Fee-Based or Closure)	AR Restart
2015-05-12	198	Request for Additional Information (Fee-Based or Closure)	SUBMIT UPDATED CD WCLOSURE COMMITTEE CHANGES
2015-06-01	199	Additional Information Received (Fee-Based or Closure)	INFO REC'D
2015-06-05	84	Conditional Closure	WELL ABANDONMENT
Impacts			
Type		Comment	
Soil Contamination		-	
Substances			
Substance		Type	Amount Released Units
Gasoline - Unleaded and Leaded		Petroleum	
Who			
Click name of Project Manager or File Contact to compose email			
Role	Name/Address		
Consultant	MACH IV ENGINEERING & SURVEYING 211 N BROADWAY SUITE 114 GREEN BAY, WI 54303		
Responsible Party	STEVEN AMBROSIOUS PO BOX 13571 GREEN BAY, WI 54307		

Project Manager	BETH ERDMAN	625 E COUNTY RD Y	OSHKOSH, WI 54901
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BRRTS data comes from various sources, both internal and external to DNR. There may be omissions and errors in the data and delays in updating new information. Please see the [disclaimers page](#) for more information.

The Official Internet Site for the Wisconsin Department of Natural Resources
101 S. Webster Street . PO Box 7921 . Madison, Wisconsin 53707-7921 . 608 269 2621

Release 2.4.4 | 07/09/2015 | [Release Notes](#)



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

February 6, 2014

Victoria Flowers
Environmental Specialist
Oneida Tribe of Indians of Wisconsin
P.O. Box 365, 7332 Water Circle Place
Oneida, Wisconsin 54155

re: Endangered Species Information
Activities on Tribal Property
Oneida Reservation
Brown and Outagamie Counties, Wisconsin

Dear Ms. Flowers:

The U.S. Fish and Wildlife Service (Service) has received your email dated January 8, 2014, requesting an updated letter regarding current status and occurrence information for species listed as threatened or endangered under the 1973 Endangered Species Act, as amended, on the Oneida Indian Reservation in Wisconsin.

Federally-Listed Species, Candidate Species, Proposed Species, and Critical Habitat

Following a review of the information in our files, we can confirm that we have no records of federally-listed species, candidate species, proposed species, or designated critical habitat currently occurring within the exterior reservation boundaries.

Please be aware that over time, habitats near the project site may be utilized by listed or proposed species not present at this time. It is also possible that critical habitat could be proposed or designated for a species. Therefore, we recommend that you contact our office again in 12 months to determine if this information remains current. Questions pertaining to these comments can be directed to Mr. Peter Fasbender at 920-866-1725.

Sincerely,

Peter J. Fasbender
Field Supervisor

ONEIDA CULTURAL HERITAGE HISTORIC PRESERVATION PROGRAM

Corina Burke/Williams/THPO/Tribal Historic Preservation Officer

POST OFFICE BOX 365

ONEIDA, WI 54155

PHONE: (920) 496-5386

FAX: (920) 494-4362

Mary Jo Nash
DOLM
P.O. Box 365
Oneida WI, 54155

November 19, 2015

Re: Compliance with all applicable laws: Tribal, Federal and/or State involving inadvertent discovery of cultural, historical, and cultural traditional properties, in accordance with the National Historic Preservation Act Section 106 and the Oneida Ordinance for the Protection and Management of Archaeological, Cultural, and Historic Resources.

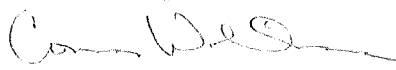
Dear Mary Jo,

We have completed an archive literature search, and reviewed our burial/oral history sites information for the Proposed project for a demolition of a commercial property at SW1/4,NW1/4, SE1/4,NW1/4 of Sec 4, T23N, E 19E, Outagamie Oneida WI, 54155 141W Service Rd.AKA (Harley Bobs).

We have no cultural concerns with a portion of your project no significant finds were found. It is the responsibility of the Oneida Historic Preservation Program to give an overview of the inadvertent discovery policy/process to the tribal project manager/contracted construction company, after the initial overview with the contractor/tribal project manager then the site monitor is scheduled. **A site monitor is required to be on site doing periodic site checks.**

If at any time during the process artifacts are uncovered/discovered, construction is to cease immediately and our office must be contacted for proper handling of these finds, your construction company may/or may not be trained in proper observation techniques in terms of identification, therefore the inadvertent discovery policy/process overview is given to the Tribal Project Manager/Construction Company prior to the beginning of construction on the site to ensure the proper notification is followed. If you have any questions, feel free to contact me at 496-5386.

Respectfully,
Corina Williams/ THPO
cwilliam@oneidanation.org
P.O. Box 365
Oneida WI, 54155
920-496-5386 Office
920-713-8554- Cell



Oneida Tribe of Indians of Wisconsin
Environmental, Health & Safety Division

Little Bear Development Office
PO Box 365
N7332 Water Circle Place
Oneida, WI 54155
Phone (920) 869-4591
FAX (920) 869-1610



Conservation Field Office
PO Box 365
N8047 County Road U
Oneida, WI 54155
Phone (920) 869-1450
FAX (920) 869-2743

Analysis of Brownfield Cleanup Alternatives (ABCA)
Preliminary Evaluation (December 2, 2015)

Project:	Former Hilltop BP (Appleton's)
Address:	N7284 County Road J Oneida, WI 54155
Property Contact:	Patrick Pelky – Interim Director Division of Land Management P.O. Box 365 Oneida, WI 54155 (920)869-6603 ppelky1@oneidanation.org
Tribal Environmental Response Program Contact:	Victoria Flowers, Environmental Specialist Little Bear Development Center N7332 Water Circle Place Oneida, WI 54155 (920)869-4548 vflowers@oneidanation.org
Project #	TBD

A. Proposed Action and Need:

The Oneida Environmental, Health and Safety Division (EHSD) is recommending that the Oneida Tribe of Indians apply for additional Brownfield Cleanup Grant funding through the United States Environmental Protection Agency (EPA). This grant will be used to further excavate and safely dispose of petroleum contaminated soils, place and compact backfill, conduct groundwater monitoring, place asphalt, evaluate collected data and prepare a report that documents the reduction of environmental risk from the activities conducted.

Currently, EHSD Tribal Environmental Response Program (TERP) is requiring the Oneida Division of Land Management (DOLM) to maintain an impervious cap on areas of the property to prevent direct contact with contaminants to limit the infiltration of contaminants to groundwater. The requirement prevents disturbing the soil. If soil is disturbed, then it must be managed in a way that is protective of human health and the environment. This requirement is part of the administrative conditions placed on this property through application of the Tribal Environmental Response Law (TERL). Due to this restrictive covenant, redevelopment and reuse of the property is currently limited.

If received, TERP will administer the award and oversee the activities to ensure that they meet the desired cleanup goals.

B. Previous Site Uses:

The site had a long history of being operated as a gasoline/service station by a family since 1935 and was the subject of a Wisconsin Department of Natural Resources (WDNR) ordered Leaking Underground Storage Tank (LUST) investigation.

In 2014 the Tribe purchased the property, removed the tank system and building and conducted additional evaluation of the property. The property is currently vacant.

Site Assessment Findings

There are two previous Wisconsin Department of Natural Resources (WDNR) actions associated with this location. One regarding the former dump in the ravine behind the property and one associated with underground storage tanks (UST).

Environmental assessment findings are based on the following documents:

- EPA, *Potential Hazardous Waste Site Preliminary Assessment of Appleton's Garage*, 1988
- Ecology and Environment, Inc., *Screening Site Inspection Report for Appleton's Garage*, December 18, 1989
- WDNR Closure request documentation April 2009.
- AECOM, *Environmental Site Assessment Results, Upper Central Oneida*, October 2009
- Oneida Tribe of Indians of Wisconsin, Engineering Department, *Building Evaluation Report*, March 5, 2014
- GEI, Inc. Tank System Site Assessment Report (TSSA), October 15, 2014
- EPA START Program Targeted Brownfield Assessment, February 2015

Former Dump Location

Key findings from the EPA and Ecology and Environment, Inc., reports listed above, for the historical waste disposal in the former ravine, indicate that there were levels of contamination by arsenic and chromium above generic soil cleanup guidelines that were in use at the time. Since that time, a more tiered approach to evaluating the human health and environmental impacts of identified contamination has evolved to consider site specific conditions. In applying these evaluations, has been determined that there is no non-industrial (residential) direct contact threat or threat to the groundwater from that past activity.

Underground storage tanks

The USTs were removed in September 2014 and the TSSA confirmed previous findings. Based on historical information remedial excavations were performed using a previous Brownfield Cleanup award, but contamination still remains in the area of the pump islands.

C. Project Goal

The goal of the proposed project is to complete the removal of the petroleum contamination that presents a direct contact threat and limits redevelopment of the site and identify the risks associated with the remaining site conditions.

D. Alternatives (Preferred Alternative, No-Action Alternative, and Other Alternatives Considered):

- a. **Alternative 1 (Preferred):** The proposed cleanup plan will remove petroleum contaminated soils by excavation and dispose of them in a landfill for use as daily cover. Previous excavation margins and depth were not sufficient to remove the soils that present a direct contact threat scenario and migration pathways to groundwater. During the excavation, the final margins and depth will be determined by screening utilizing a photo-ionization detector and confirmatory soil sampling. Soil sampling will include samples that represent the excavation margins and soil transported to the landfill. Sampling and analysis will be according to an EPA approved plan (SAP) and in compliance with an EPA approved Quality Assurance Project Plan (QAPP).

After excavation is complete, elevations of the excavation depth will be collected and recorded. The excavated area will then be backfilled with clean soils and compacted until approximately one foot below grade when road grade gravel will be placed and compacted. The lateral extent of the excavation will be measured and mapped using Geo-positioning satellite technology (provided by Oneida staff) and recorded with Oneida's Geographic Land Information System for future use during redevelopment.

A remedial activities report will be completed. Sampling results will document that direct contact threat has been reduced below calculated non-industrial levels and the migration pathway to groundwater has been eliminated. Successful completion of this goal will allow for the administrative conditions requiring a cap to be removed.

E. The no action alternative: The site would remain as is with limited use potential.

F. Post Cleanup Uses:

The Oneida Planning Department will conduct community outreach to determine the best and highest use of this property based on feedback received from that work.

G. Environmental Consequences of the Alternatives (Direct Effects, Indirect Effects, Cumulative Effects, Environmental Justice Issues):

The Alternatives are in compliance with Section 7 of the Endangered Species Act and the Alternatives will result in no change to potential historical, cultural, and religious properties. It has been determined that there is no potential to disturb historic properties within the area of potential effect (800.3(a)(1)). The Alternatives are in compliance with Section 106 of the National Historic Preservation Act of (NHPA) 1966 (Pub. L. 89-665), as amended (40 C.F.R. § 1508.27 (b)(8)).

The preferred alternative will provide the options for reuse and redevelopment that did not currently exist before. Any uses after cleanup will be subject to community input and approval.

H. Consultation and Coordination:

1. Consultation Tribal Historic Preservation Officer (THPO), Tribal Programs, USFWS determination, EPA (if required for NPDES compliance): Section 106 compliance with the NHPA (no effects), A review of archived literature and a Phase 1 Archaeological Survey was conducted on the Area of Potential Effect (APE) and no sites were discovered. No Federally-listed species occur

within the project area; therefore, no adverse effects will be made to endangered species, nor will any critical habitats be damaged. A NPDES permit is not required.

2. Coordination NHPA, NEPA, CWA, Clean Air Act (CAA), etc.): NEPA, NHPA, CWA, ESA.

G. Attachments

Aerial photo
Contamination and Previous Area of Excavation
USFWS Clearance Letter
Oneida Tribal Historic Preservation Officer Clearance Letter

Report Prepared By:

Victoria Flowers
Environmental Specialist

Report Reviewed By:

Jeffrey Mears
Environmental Area Manager

Oneida Reservation Road Map

Legend

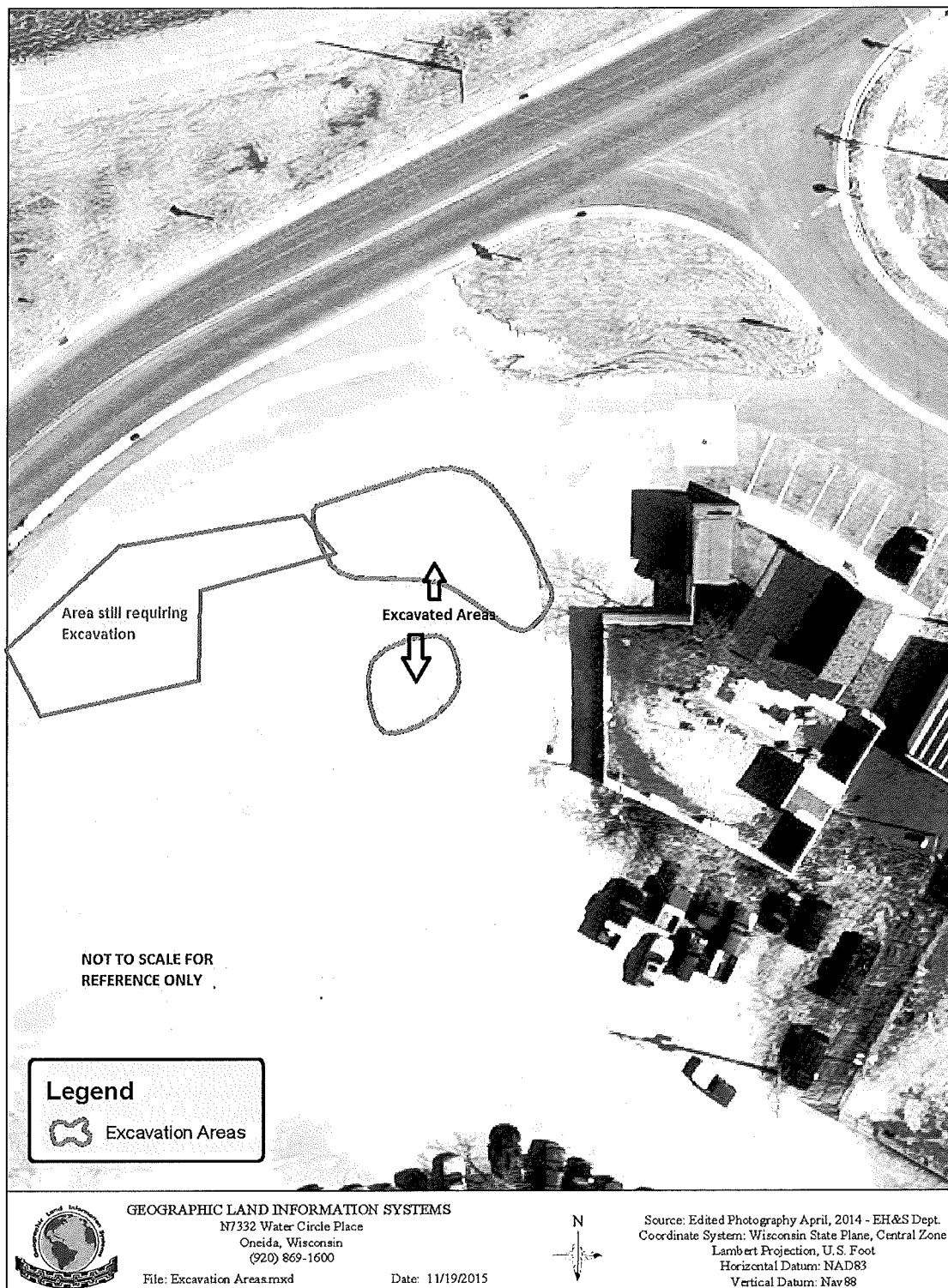
- Road Centerlines
- Oneida Reservation

Approximate Location

GEOGRAPHIC LAND INFORMATION SYSTEMS
N 703 Packerland Drive
Green Bay, Wisconsin
(920) 496-2007

File: roads_buffer.mxd Date:

Coordinate System: Wisconsin State Plane, Central Zone
Lambert Projection, U.S. Feet
Horizontal Datum: NAD83
Vertical Datum: NAVD83





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

February 6, 2014

Victoria Flowers
Environmental Specialist
Oneida Tribe of Indians of Wisconsin
P.O. Box 365, 7332 Water Circle Place
Oneida, Wisconsin 54155

re: Endangered Species Information
Activities on Tribal Property
Oneida Reservation
Brown and Outagamie Counties, Wisconsin

Dear Ms. Flowers:

The U.S. Fish and Wildlife Service (Service) has received your email dated January 8, 2014, requesting an updated letter regarding current status and occurrence information for species listed as threatened or endangered under the 1973 Endangered Species Act, as amended, on the Oneida Indian Reservation in Wisconsin.

Federally-Listed Species, Candidate Species, Proposed Species, and Critical Habitat

Following a review of the information in our files, we can confirm that we have no records of federally-listed species, candidate species, proposed species, or designated critical habitat currently occurring within the exterior reservation boundaries.

Please be aware that over time, habitats near the project site may be utilized by listed or proposed species not present at this time. It is also possible that critical habitat could be proposed or designated for a species. Therefore, we recommend that you contact our office again in 12 months to determine if this information remains current. Questions pertaining to these comments can be directed to Mr. Peter Fasbender at 920-866-1725.

Sincerely,

Peter J. Fasbender
Field Supervisor

ONEIDA CULTURAL HERITAGE HISTORIC PRESERVATION PROGRAM

Corina Williams/THPO/Tribal Historic Preservation Officer

POST OFFICE BOX 365

ONEIDA, WI 54155

PHONE: (920) 495-5366

FAX: (920) 494-4382

Environmental Health and Safety
P.O. Box 365
Oneida WI, 54155

August 8

Re: Compliance with all applicable laws: Tribal, Federal and/or State involving inadvertent discovery of cultural, historical, and cultural traditional properties, in accordance with the National Historic Preservation Act Section 106 and the Oneida Ordinance for the Protection and Management of Archaeological, Cultural, and Historic Resources

We have completed an archive literature search, and reviewed our burial/historical sites information for the property at *the location on top of the hill on Service road, NE1/4, NE1/4, (BP Hilltop), Former Appleton's Gas Station, Sec23, T19, R 4*. Proposed project consist of tank system removal and canopy demolition. Currently the use of the BP gas station is empty and sitting idle. Within the proposed area less than 1 mile, there are historic structures, natural spring area, burials and remnants of the old train depot that used to be across the street from BP hilltop gas station. Burials exist across the highway 54 into the Norbert hill woods.

We are not requiring an archaeological survey to be conducted at this time; the site has a lot of ground disturbance. The historic structures and/or cultural areas will not have an adverse effect on the this proposed project and we have given this project clearance to proceed. HOWEVER, every site has the potential for discovery of significant finds.

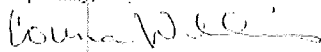
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If at any time during the process artifacts are uncovered/discovered, construction is to cease immediately and our office must be contacted for proper handling of these finds, your construction company may or may not be trained in proper observation techniques in terms of identification, therefore the inadvertent discovery policy/process overview is given to the Tribal Project Manager/Construction Company prior to the beginning of construction on the site to ensure the proper notification is followed.

Please notify us when you know your construction date to allow us time to schedule the overview and make arrangements for site monitoring.

Please call me to set up the date for an overview and for construction to begin to scheduling a site monitor. If you have any questions, feel free to contact me at 920-713-8554

Respectfully,



Ms Corina Williams
Oncida Historic Preservation Officer

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

12/20/2016

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

Oneida Nation

* b. Employer/Taxpayer Identification Number (EIN/TIN):

39-6081138

* c. Organizational DUNS:

7982272780000

d. Address:

* Street1:

P.O. Box 365

Street2:

* City:

Oneida

County/Parish:

* State:

WI: Wisconsin

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

54155-9501

e. Organizational Unit:

Department Name:

Environmental Quality

Division Name:

Environmental, Health & Safety

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Ms.

* First Name:

Victoria

Middle Name:

* Last Name:

Flowers

Suffix:

Title: Environmental Specialist

Organizational Affiliation:

* Telephone Number:

920-869-4548

Fax Number:

* Email:

vflowers@oneidanation.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

I: Indian/Native American Tribal Government (Federally Recognized)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-16-09

* Title:

FY17 Guidelines for Brownfields Cleanup Grants

13. Competition Identification Number:

NONE

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Oneida Brownfields Cleanup Grant (former Hilltop BP)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant 8th

* b. Program/Project 8th

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2017

* b. End Date: 09/30/2020

18. Estimated Funding (\$):

* a. Federal	134,675.00
* b. Applicant	27,939.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	162,614.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Melinda

Middle Name: J.

* Last Name: Danforth

Suffix:

* Title: Tribal Vice-Chairwoman

* Telephone Number: 920-869-4364 Fax Number: 920-869-4040

* Email: grant@oneidanation.org

* Signature of Authorized Representative: Marsha Danforth * Date Signed: 12/20/2016